

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>NELSON WHITE, JR., et al.,</b>	:	
	:	
<b>Plaintiffs,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>NO. 11-7928</b>
	:	
<b>THE PNC FINANCIAL SERVICES</b>	:	
<b>GROUP, INC., et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 24<sup>th</sup> day of August, 2017, upon consideration of the Plaintiffs' Motion to Strike PNC's Affirmative Defenses (Doc. No. 271), PNC's Response in Opposition (Doc. No. 277), Plaintiffs' Reply Memorandum (Doc. No. 279), and PNC's Sur-Reply Memorandum (Doc. No. 283), **IT IS HEREBY ORDERED** that the Plaintiffs' Motion to Strike PNC's Affirmative Defenses (Doc. No. 271) is **GRANTED in part** and **DENIED in part** as outlined herein:

1. The Plaintiffs' Motion to Strike PNC's first affirmative defense is **DENIED**.
2. The Plaintiffs' Motion to Strike PNC's third affirmative defense is **DENIED**.
3. The Plaintiffs' Motion to Strike PNC's seventh affirmative defense is **GRANTED** with respect to Plaintiffs' RESPA claims.
4. PNC's seventh affirmative defense is **STRICKEN with prejudice** with respect to Plaintiffs' RESPA claims.

5. The Plaintiffs' Motion to Strike PNC's seventh affirmative defense is **DENIED** with respect to Plaintiffs' unjust enrichment claims.

6. The Plaintiffs' Motion to Strike PNC's eighth affirmative defense is **GRANTED in part** and **DENIED in part** as explained in Section IV(C) of this Court's accompanying memorandum.

BY THE COURT

/s/ *Lawrence F. Stengel*  
LAWRENCE F. STENGEL, C. J.